

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

SOUTHERN DISTRICT OF TEXAS

United States of America)

v.)

Anthony Josh Boen (YOB: 1990)
USC)

Defendant(s)

Case No.

M-18-2489-M

Clerk of Court

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 12/4/2018 in the county of Starr in the
SOUTHERN District of TEXAS, the defendant(s) violated:

Code Section

Offense Description

21 USC 841(a)(1)

Knowingly and intentionally possess with
intent to distribute approximately
103.999 kilograms of marijuana, a
schedule I controlled substance.

This criminal complaint is based on these facts:

See attachment 1.

(Continued on Attachment I)

☒ Continued on the attached sheet.

Approved by David A. Lindemur

12/6/18

Sworn to before me and signed in my presence.

Date:

12/6/18

City and state: McAllen, Texas

Luis O. Espinoza
Complainant's signature

Luis O. Espinoza, DEA TFO

Printed name and title

J. Scott Hacker
Judge's signature

J. Scott Hacker, Magistrate Judge

Printed name and title

Attachment 1

On December 04, 2018, at approximately 10:30 am, Border Patrol Agents heard a transmission over the two way radio from Aerostat operator, about a passenger car driving in a northern direction towards US Highway 83 from the Rio Grande River Area in Rio Grande City, Texas.

Aerostat Operator described the vehicle as a green in color Sedan and advised it was traveling on Los Velas Road Park in a driveway of a trailer home.

Moments later BP Agents approached the vehicle and observed the vehicle unoccupied and two male subjects standing about 20 yards away from the vehicle. The subjects were later identified as, Anthony Josh BOEN, and Julian Rey ORTEGA. As BP Agents approached the vehicle (a green 2000, Ford Crown Victoria Texas license plate# HWB0164), Agents observed bundles of possible narcotics in plain view in the back seat. The ignition was off and all the doors were locked.

Border Patrols asked BOEN and ORTEGA if the vehicle belonged to them to which both subjects responded "No". The subjects were asked if they lived there, to which they responded "No". BP Agents detained the subjects and padded down the subjects for officer safety reasons. After a pat down of the subject's clothing, Agents found a key on BOEN's left lower pant leg and Agents used the key to unlock the vehicle.

After a search of the vehicle BP Agents were able to locate a total of 8 bundles of marijuana (approx. 103.999 kilograms) in the back seat and trunk of the car. Both subjects were detained for further investigation and transported along with the suspected narcotics to the Rio Grande City Border Patrol Station for processing.

On December 04, 2018, DEA SA Leonel Reyna and TFO Luis Espinoza, responded to the Rio Grande City Station to interview BOEN and Ortega. At approximately 2:44 p.m., TFO Espinoza, as witnessed by SA Reyna, read ORTEGA his Miranda Right in his preferred language of English. ORTEGA acknowledge his rights and agreed to answer the agents' questions. Regarding the event that led to his detention, ORTEGA stated he was waiting for a friend at the mobile home and the vehicle was already parked in the driveway prior to his arrival. ORTEGA stated he had no knowledge of the marijuana that was located in the vehicle.

At approximately 3:10 p.m., TFO Espinoza as witnessed by SA Reyna read BOEN his Miranda Rights in his preferred language of English. BOEN acknowledge his rights and stated he did not want to answer any questions nor provide a statement.

Federal prosecution was accepted for BOEN and ORTEGA was released.